

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

STEVEN CASTRO, #1669567

§

VS.

§

CIVIL ACTION NO. 6:11cv673

MARC ASHBROOK, ET AL.

§

ORDER OF PARTIAL DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Plaintiff may proceed with his deliberate indifference to safety claims made against Sgt. Lee, Lt. Randall, Lt. Gibson, Coffield Unit Chief of Classification Frances, Lt. Christopher, Officer Rosales and Officer Sykes. It is further

ORDERED that the Plaintiff may proceed with his excessive use of force claim against Sgt. Lee, Lt. Randall, Lt. Christopher, Officer Rosales and Officer Sykes. It is further

ORDERED that the Plaintiff may proceed with his deliberate indifference to serious medical needs claim against Nurse Ashford. It is further

ORDERED that the Plaintiff may proceed with his retaliation claims against Sgt. Lee, Lt. Randall, Lt. Gibson, Lt. Christopher, Officer Rosales and Officer Sykes. It is finally

ORDERED that the Plaintiff's remaining claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

So ORDERED and SIGNED this 20th day of April, 2012.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE